



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF.

VIA ELECTRONIC AND CERTIFIED MAIL

April 8, 2008

Jennifer Hale
Weyerhaeuser Company
Environment Health & Safety, WTC 2G2
P.O. Box 9777
Federal Way, WA 98063-9777

EPA Region 5 Records Ctr.



308434

RE: Plainwell Mill, Operable Unit #7, Allied Paper/Portage Creek/Kalamazoo River Site
Work Plan Addendum to Investigate Source of Oily Sheen

Dear Ms. Hale:

I am writing in response to your letter of March 27, 2008 to the United States Environmental Protection Agency (EPA). Your letter responds to various comments provided by EPA to Weyerhaeuser Company (Weyerhaeuser) regarding a draft work plan addendum, which specifies those preliminary tasks necessary to investigate the source of an oily sheen observed while the company was conducting emergency response work on the mill banks.

With regard to the proper designation of the addendum, EPA now agrees with Weyerhaeuser that the document should be characterized as Addendum 1 to the draft RI/FS Work Plan, which is currently here in Region 5's office under review. EPA's conclusion is based on the definitions of (1) "Mill or "Mill Property"; and (2) "Mill Remedial Investigation and Feasibility Study" or "Mill RI/FS" in the *Consent Decree for the Design and Implementation of Certain Response Action at Operable Unit 4 and the Plainwell Inc Mill Property of the Allied Paper/Portage Creek/Kalamazoo River Site* (Civil Action No. 1:05 CV0003, February 15, 2005) (CD). In relevant part, the Mill RI/FS is defined as "those activities to be undertaken by Weyerhaeuser to assess the nature and extent of contamination at the Mill..." The Mill is defined by reference to Appendix H of the CD, which is a legal description of the property. The legal description includes that part of the real property between the top of the river banks and the Kalamazoo River. Although we do not currently know whether the source of the oily sheen is located on the river banks or between the banks and the Mill buildings, under either scenario the investigation would fall within the agreed scope of the Mill RI/FS. Accordingly, EPA agrees that this work is properly characterized as RI/FS work.

As such, EPA agrees that the response costs to be incurred and paid by Weyerhaeuser in connection with the activities described in the work plan are within the scope of the term "Allowable Costs" under paragraph 12 of the CD, and are eligible for

reimbursement according to the procedures and milestones for phased disbursement set forth in Appendix G to the CD.

Finally, EPA is conditionally approving Addendum 1 to the draft RI/FS Work Plan, with final approval pending EPA's receipt of a final version of the document that incorporates the revisions proposed in Weyerhaeuser's letter of March 27, 2008 and this letter.

Thank you for your attention to this matter. Please do not hesitate to call me at 312.886.1434, should you have any questions related to the project.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Chummar', with a stylized flourish at the end.

Sam Chummar, Remedial Project Manager
U.S. EPA Region 5

cc: James Saric, SR-6J
Michael Berkoff, SR-6J
Paul Bucholtz, MDEQ
Eileen Furey, C-14J

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

Sam Chommar - SR-65

Postage

\$

41

Certified Fee

265

Return Receipt Fee
(Endorsement Required)

215

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

521

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP

Jennifer Hale

Weyerhaeuser Company

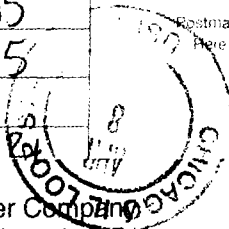
Environment Health & Safety

WTC 2G2

P.O. Box 9777

Federal Way, WA 98063-9777

Postmark
Here



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jennifer Hale
Weyerhaeuser Company
Environment Health & Safety
WTC 2G2
P.O. Box 9777
Federal Way, WA 98063-9777

2. Article Number

(Transfer from service label)

7001 0320 0006 1447 1769

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

COMPLETE THIS SECTION ON DELIVERYA. Received by *(Please Print Clearly)* B. Date of Delivery

C. Signature

X

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.4. Restricted Delivery? *(Extra Fee)*☐ Yes